

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

OCTAVIOUS HODGES,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-13-249-M
)	
TIM WILKINSON, et al.,)	
)	
Respondents.)	


ORDER

On April 11, 2013, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. Petitioner also filed an Affidavit construed as a motion for leave to proceed *in forma pauperis* and supporting documents. The Magistrate Judge recommends that petitioner's motion for leave to proceed *in forma pauperis* be DENIED and the action be dismissed without prejudice unless petitioner pays the full filing fee to the Clerk within twenty (20) days of any order adopting the Report and Recommendation. The parties were advised of their right to object to the Report and Recommendation by April 29, 2013. No objection has been filed.

Upon de novo review of this matter, the Court:

- (1) ADOPTS the Report and Recommendation issued by the United States Magistrate Judge on April 11, 2013; and
- (2) DENIES Petitioner's Motion for Leave to Proceed *In Forma Pauperis* [docket no. 5].

IT IS SO ORDERED this 20th day of June, 2013.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE